



General Assembly

January Session, 2003

Committee Bill No. 727

LCO No. 3155

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

**AN ACT CONCERNING GRANDPARENTS CARING FOR
GRANDCHILDREN AND FOSTER CARE SUBSIDIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-126 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) As used in this section, "relative caregiver" means a person who
4 is caring for a child related to such person because the parent of the
5 child has died or become otherwise unable to care for the child for
6 reasons that make reunification with the parent not a viable option
7 within the foreseeable future and "commissioner" means the
8 Commissioner of Children and Families.

9 (b) The Commissioner of Children and Families shall establish a
10 program of subsidized guardianship for the benefit of [children] any
11 child in the care or custody of the commissioner who [are] is living
12 with a relative [caregivers] caregiver and who [have] has been in foster
13 care or certified relative care for not less than [eighteen] twelve months
14 [. The commissioner, within available appropriations, may establish a
15 program of subsidized guardianship for the benefit of children in the

16 care or custody of the commissioner who are living with relative
17 caregivers and who have been in foster care or certified relative care
18 for not less than twelve but not more than eighteen months] or who is
19 living with a relative caregiver who has been appointed guardian or
20 coguardian of the child by any court of competent jurisdiction because
21 the parent of the child has died or is terminally ill and the child is at
22 risk of foster placement and the income of the relative caregiver is less
23 than three hundred per cent of the federal poverty level. A relative
24 caregiver may request a guardianship subsidy from the commissioner.
25 If adoption of the child by the relative caregiver is an option, the
26 commissioner shall counsel the caregiver about the advantages and
27 disadvantages of adoption and subsidized guardianship so that the
28 decision by the relative caregiver to request a subsidized guardianship
29 may be a fully informed one.

30 (c) The subsidized guardianship program shall provide the
31 following subsidies for the benefit of any child in the care of a relative
32 caregiver who has been appointed the guardian or coguardian of the
33 child by any court of competent jurisdiction: (1) A special-need
34 subsidy, which shall be a lump sum payment for one-time expenses
35 resulting from the assumption of care of the child when no other
36 resource is available to pay for such expense; and (2) a medical subsidy
37 comparable to the medical subsidy to children in the subsidized
38 adoption program if the child lacks private health insurance. The
39 subsidized guardianship program shall also provide a monthly
40 subsidy on behalf of the child payable to the relative caregiver that
41 shall be equal to the prevailing foster care rate for children who have
42 been in the care or custody of the commissioner, and for children who
43 are not in the care or custody of the commissioner, a monthly subsidy
44 that shall be equal to the prevailing foster care rate less the amount of
45 any benefits for survivors under the Social Security Act, federal Social
46 Security disability or temporary family assistance that the child is
47 currently receiving. The commissioner may establish an asset test for
48 eligibility under the program that shall apply only to the child's assets.

49 (d) The commissioner shall adopt regulations in accordance with
50 chapter 54 implementing the subsidized guardianship program
51 established under this section. Such regulations shall require, as a
52 prerequisite to payment of a guardianship subsidy for the benefit of a
53 minor child, that a home study report be filed with the court having
54 jurisdiction of the case of the minor within fifteen days of the request
55 for a subsidy, provided that no such report shall be required to be filed
56 if a report has previously been provided to the court or if the caregiver
57 has been determined to be a certified relative caregiver by the
58 commissioner. The regulations shall also establish a procedure
59 comparable to that for the subsidized adoption program to determine
60 the types and amounts of subsidy to be granted by the commissioner
61 as provided in subsection (c) of this section, for annual review of the
62 subsidy as provided in subsection (e) of this section and for appeal
63 from decisions by the commissioner denying, modifying or
64 terminating such subsidies.

65 (e) The guardianship subsidy provided under this section shall
66 continue until the child reaches the age of eighteen or the age of
67 twenty-one if such child is in full time attendance at a secondary
68 school, technical school or college or is in a state accredited job training
69 program. Annually, the subsidized guardian shall submit to the
70 commissioner a sworn statement that the child is still living with and
71 receiving support from the guardian. The parent of any child receiving
72 assistance through the subsidized guardianship program shall remain
73 liable for the support of the child as required by the general statutes.

74 (f) A guardianship subsidy shall not be included in the calculation
75 of household income in determining eligibility for benefits of the
76 relative caregiver of the subsidized child or other persons living within
77 the household of the relative caregiver.

78 (g) Payments for guardianship subsidies shall be made from
79 moneys available from any source to the commissioner for child
80 welfare purposes. The commissioner shall develop and implement a

81 plan that: (1) Maximizes use of the subsidized guardianship program
 82 to decrease the number of children in the legal custody of the
 83 Commissioner of Children and Families and to reduce the number of
 84 children who would otherwise be placed into foster care when there is
 85 a family member willing to provide care; (2) maximizes federal
 86 reimbursement for the costs of the subsidized guardianship program,
 87 provided whatever federal maximization method is employed shall
 88 not result in the relative caregiver of a child being subject to work
 89 requirements as a condition of receipt of benefits for the child or the
 90 benefits restricted in time or scope other than as specified in subsection
 91 (c) of this section; and (3) ensures necessary transfers of funds between
 92 agencies and interagency coordination in program implementation.
 93 The Commissioner of Children and Families shall seek all federal
 94 waivers as are necessary and appropriate to implement this plan.

95 Sec. 2. (NEW) (*Effective July 1, 2003*) The Commissioner of Social
 96 Services shall establish, within available appropriations, a
 97 grandparents-as-parents program to provide support for grandparents
 98 who raise a grandchild. The program shall operate within existing staff
 99 at the department and shall provide a clearinghouse of information
 100 regarding services available in the state for relative caregivers. The
 101 grandparents-as-parents program shall also provide training on the
 102 needs of relative caregivers and available services. The training shall
 103 be offered to relevant professionals, including, but not limited to, case
 104 workers within the Department of Children and Families and the
 105 Department of Social Services and staff of any court of competent
 106 jurisdiction.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>

AGE*Joint Favorable C/R*

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